agenda. The cut motion is not here. All the other cut motions are here.

Mr. K. T. Mathew—You may refer the matter to the Secretary to the Council.

Mr. A. B. Salem.—I have given a cut. Am I entitled to move it or not ?

Mr. K. Achyuta Menon.—This is a business not in the agenda.

President.—If there is a mistake, it must be rectified.

Mr. A. B. Salem. - So I request you to allow me to move a cut. I don't ask you to over-rule the ruling of the President. I request that I may be allowed to move a cut.

President.—I cannot do that.

Mr. K. T. Mathew.—There is another motion in his name. Let him speak anything he has to speak on that motion.

Mr. A. B. Salem.—Sir, I request that a note may be made of this matter.

President.—There are cut motions in the name of Mr. Mathew.

Mr. A. B. Salem.—I am upon the point that no cut motion can be disallowed by the Government or by the President.

President.—It is not in the agenda. The question is not before the House. Therefore, I am not going to consider the matter.

Mr. A. B. Salem.—I say in open Council that I tabled a cut, and I do not find it in the agenda.

President.—Now; I call upon the Member for Excise to move for the Supplementary Grant under "Customs".

Demand VIII—Customs—Rs. 664.

Mr. V. B. Vaidyanatha Ayyar.—Sir, I rise to move for an additional allotment of Rs. 664 under "VIII—Customs-Establishment" by transfer from the savings under "VI—Excise (K)". This amount of Rs. 664 represents the furlough allowance paid to Adisubrahmanya Ayyar, the Assistant to the Deputy Superintendent of Customs, Malippuram. This furlough allowance was paid to him from the 18th of Meenam 1099 till about the end of Karkadagam last. Adisubrahmanya Ayyar was suspended on the 18th of Meenam 1099. Towards the end of Karkadagam last, final orders were passed over the matter of suspension, and he was retired from service, the period of suspension being treated under special circumstances as furlough. When the budget estimate for 1101 was prepared, and when the revised budget estimate for 1101 was submitted, Adisubrahmanya Ayyar was under suspension. So provision for his furlough allowance could not have been made then, and as a matter of fact,

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it was not made. Hence this additional allotment became necessary. I request the House to sanction this additional grant.

Motion No. 5.

Mr. K. T. Mathew.—*To reduce the allotment of Rs. 664 under "VIII—Customs-Establishment" by transfer form the savings under "VI—Excise (k)" by one rupee.*

Mr. K. T. Mathew.—Sir, I move to reduce the amount by Re. 1. In doing so, I may bring to the attention of the House the irresponsible ways adopted by the convener of the Excise Committee who is the Superintendent of Excise Revenue.

Mr. V. B. Vaidyanatha Ayyar.—On a point of order, Sir.

President.—You speak about his private conduct.

Mr. K. T. Mathew.—I don't refer to his private conduct. As the Superintendent of Excise, he is made the convener of the Excise Committee.

President—It is not necessary.

Mr. K. T. Mathew.—We are now asked to vote money for a Government Department. Let it be the Excise Department.

President.—That is not what is demanded now.

Mr. K. T. Mathew.—Is it not for the Excise Department? And, if so, we could discuss all the problems connected with the Excise Department. The Excise Committee forms part and parcel of the Excise Department.

Mr. N. Padmanabha Menon.—The demand is under "Customs" and not under "Excise".

Mr. K. T. Mathew.—This forms part of the Excise Department. It is a Government Committee, and the Superintendent of Excise Revenue is the convener of the Committee. If we are not satisfied with the work of the department, we can disallow any grant asked for by the Government. If you rule that it is out of order, I shall not speak.

President.—Have you anything to say about the conduct of the Superintendent?

Mr. K. T. Mathew.—I have nothing to say, regarding his personal matters.

President.—If you want to find fault with him in his capacity as convener of the Excise Committee, I cannot allow it. There are so many other Committees where non-officials are conveners for the convenient working of the Committees.

Mr. K. T. Mathew.—The Superintendent of Excise Revenue is asked by the Government to take necessary action so that the Committee may begin the work as early as possible. He was appointed convener of the Excise Committee, because

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he is the Superintendent of Excise Revenue. If you rule that I am out of order in speaking about this matter, I won't speak.

President.—Then, that is my view.

Mr. K. T. Mathew.—Temporary licenses are being issued by the department for fairs and other festivals, and I shall now speak about it.

Mr. V. B. Vaidyanatha Ayyar.—On a point of order, Sir. I want additional grant not to run my Excise shops but for "Customs."

Mr. C. Achyuta Menon.—That is quite a different head.

Mr. V. B. Vaidyanatha Ayyar.—I want your ruling as to whether it is permissible for the Hon'ble Member to speak on matters outside "Customs".

Mr. N. Padmanabha Menon.—Last time the President was pleased to allow such a motion to be made. There was a motion before this House under the head "Education", that is, the transfer of an allotment of Rs. 1,000 from one head to another, and then, the Hon'ble Member for Kunnamkulam wanted to bring to the notice the case of one Mr. Verghese, and the President ruled that that motion was in order. Similarly, this is a motion for grant of allotment by transfer from one head to another. There is no objection for the Member to proceed.

President.—"Customs" is quite different from "Excise".

Mr. K. T. Mathew.—It is for the Excise Department that the money is required, Sir.

President.—No, it is for the Customs Department.

Mr. K. T. Mathew.—Has not the Council got the power to speak on "Customs"? Is it votable or non-votable? If it is votable, I can speak. If it is non-votable, I cannot.

President.—"Customs" is votable.

Mr. A. K. Vengu Ayyar.—Establishment charges alone. Not all.

Mr. George Chakyamuri.—Money is diverted from the savings of the Excise Department. The transfer is from savings under "VI—Excise (k)."

President.—Why is the money asked for? Money is required for the Customs Department. That money has to be spent for Customs. If you have got any complaint with regard to the Customs Department, then, certainly you can object.

Mr. George Chakyamuri.—We have voted a certain amount for the Excise Department. Money is to be transferred to "Customs" from that department.

President.—When you criticise a demand for "Forests", you should not say anything about "General Administration".

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Mr. K. T. Mathew.—We are simply going to say that money should not be taken from the Excise Department.

President.—Do you say that money should not be used for a legitimate purpose?

Mr. S. F. Nunez.—The point is this. There is a certain amount of saving in the Excise Department, which saving is due to money given by the people not being utilised for its purpose. The question is whether this saving of the Excise Department could be made use of for other purposes. If the saving is due to the non-utilisation for the purpose meant the policy is to be condemned.

President.—We want money for the Customs Department. Whether that money can be allowed or not is the question.

Mr. C. A. Ouseph.—There is one difference. He applies for a transfer from "Excise" to "Customs", so that we are concerned with the question whether that transfer can be allowed. The transfer is from "Excise". Money is be allowed for "Customs." Therefore, we are here concerned with both "Excise" and "Customs." We take from one and utilise in another. We must be justified in taking and justified in utilising. Is it your opinion, Sir, that you can take money from anywhere? We have once voted a grant to the Excise Department. We are now asked to take money from that department. Why is the department not able to spend the whole money? We are now asked to spend something from that money, some money which cannot be used in that department. We must be satisfied that this surplus came to exist, after the department had done all they ought to have done. This money was granted to them for certain purposes. If they had done all that they were bound to do with this money, this saving may not have occurred. Therefore, we can question that.

Mr. M. K. Raman.—A one rupee cut is put down, not for the purpose of reducing but for discussing the matter, on general principle.

President.—The principle of the Customs Department is under question.

Mr. A. B. Salem.—What I want to bring to the notice of the Houe is that, when a demand is made in any department, we are at liberty to speak of other departments. That is the view of certain friends.

President.—It is not necessary for us to consider that now.

Mr. A. B. Salem.—When any demand is made by the Government for any department, if we are aggrieved for any other cause by the conduct of some other department, it is the

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privilege of the House on account of that grievance to refuse that demand. I say it would be an absurd proposition to say *contra*.

President.—I am not going to consider that point now.

Mr. K. T. Mathew.—Sir, it has been pointed out more than once in this House by me and the other Members that it is quite unjustifiable to grant licenses for selling liquor at fairs and festivals; and I understand that attempts are being made in Travancore and British India to curtail the issue of these licenses. It is not necessary for me now to speak here on the question of Prohibition. Although I am a supporter of Prohibition, I do not speak for it at present. What I advocate is that it should be the policy of the Government as far as possible to remove temptation for drinking from the people; but the Government is doing otherwise. On a comparison of the consumption of liquor in this State and Travancore, I mean, I find that here we are consuming double or treble the quantity of liquor that is being consumed there. A statement has been published in *the Prohibition*, which is published quarterly from Calcutta, about the proportion of the consumption of liquor and the population in Travancore and Cochin. If the Superintendent of Excise Revenue has any doubt regarding this matter, he may refer to this article or I shall produce the pamphlet here, if necessary. It has been reported in *the Statesman* of Calcutta that the Calcutta riot had very much to do with the opening of shops at such times when it is not required. So many thousands of people gather a short time at festivals and fairs. If the Government do not issue licenses to open shops at such places, people will have no opportunity to drink. But the Government, for the sake of revenue, are opening shops at such places and times for taking away money from the people without their knowledge. The Government are placing temptation to drink in the way of the people, which they should never do. For the sake of revenue they are exploiting the poor ignorant village people who gather at festivals and fairs. If temporary licenses are not granted, they will have no opportunity to drink. But, instead of trying to reduce drunkenness, the Government are granting licenses for temporary shops. This policy of issuing temporary licenses should be put a stop to.

Mr. M. K. Raman.—Sir, I beg to second it. I second it, not for the same reasons as those urged by the Hon'ble mover. I want to place before this House certain extraordinary difficulties felt by jaggery tappers. Sir, in one of our sittings it was decided that jaggery tappers should be allowed to tap free of taxes. But the condition was insisted upon that they should

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obtain the licenses from the Excise Department. Now, that restriction has become a very serious handicap for the jaggery tappers. As a matter of fact, it is almost an impossibility to get the licenses from the Excise Department. I know, as a matter of fact, several instances. Some people from Mulanturutti have been running after the Excise authorities for the last three months, and not even a courteous reply is given to them, either that they would be granted their licenses or that they would be refused. Most of these people are still hanging on them. My submission is that the Excise Superintendent probably finds it almost impossible to manage the department. I should think that it is impossible to satisfy the authorities, when the Excise Superintendent himself finds it most difficult to manage them. There seems to be a sort of most irresponsible sort of administration going on in the Excise Department. I have been writing letters after letters and complaints after complaints. The Inspector writes to the Superintendent that the applicants have not interviewed the Superintendent. These applicants have been coming to me for one month, every day, and I have been asking them to go to the Inspector. The Inspector writes to the Superintendent that these applicants have not appeared in person before him. I wrote to the Superintendent, and I expected some prompt action would be taken. The Superintendent was pleased to send for the Inspector and to give him personal advice. The Inspector was saying that he wanted 10 days, and the Superintendent said that they must be reviewed in 4 days. There was a sort of discussion between the Inspector and the Superintendent for 15 minutes. That is why I submit that the administration is conducted in an irresponsible manner. He does not seem to have any sort of control over the subordinates, and that is exactly the reason why the poor people are suffering immensely. It is impossible to satisfy the lower orders of the Excise Department, and almost impossible for the Superintendent to have proper control of the Excise Department.

President.—You cannot expect him to give an answer without consulting.

Mr. M. K. Raman.—After interviewing the Superintendent and the Inspector, I thought It would be able to get a reply after a fortnight. Months have elapsed, and no reply has been given, whether they would be allowed or disallowed. There were about 13 of these applicants, and it would be a very good thing, if they are told, they would be disallowed. My submission is this is due to the want of proper control by the

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Superintendent and the consequent irresponsible sort of administration that is going on in the Excise Department.

Mr. C. A. Ouseph.—When we were discussing the budget for 1101, this House clearly made it out that they were for the gradual reduction of the quantity of liquor that is sold, and curiously enough, the only motion for reduction that has been passed in this House is in regard to the manufacture of liquor. The reduction of consumption should have been the policy of the Government, and they should have taken proper steps to reduce the consumption of liquor in the State. But let us see what they have been doing. Sir, I will call the attention of the House to *the Administration Report for 1101.*

"The system of administration of this department came in for some criticism at the hands of the non-official Members during the budget session of 1100. A Committee of officials and non-officials was, therefore, appointed to go into the whole question of Excise administration in the State and to suggest measures for improvement. Its Report is awaited."

With these pious promises, they were waiting the Report. But look at page 17 of the same *Administration Report.*

"The consumption of arrack in the several taluks amounted to 37,542·82 gallons proof as against 33,274·80 gallons in the previous year, the increase being due to the resuscitation of the activities of the working classes, consequent on the gradual disappearance of the grim after-effects of the floods which affected the consumption in 1100."

How they bewailed the reduced consumption in 1100, because of the grim after-effects of the floods! And now, they are glad that, after the disappearance of the effects of the floods the working classes have begun their activities again. Where are the pious promises held out, that the Government are for the reduction of drink? We want an earnest attempt on the part of the Government to reduce drink, and, therefore, it is that I support this motion.

Dr. A. R. Menon.—Sir, I rise to move that the question may now be put.

Mr. K. T. Mathew.—Sir, I second it.

Mr. C. A. Kunjunni Raja.—Under the proviso (2) to S. O. 26, the Member in charge has got a right of reply.

Mr. V. B. Vaidyanatha Ayyar.—The first point urged by the Hon'ble Member for Kunnamkulm is the issuing of occasional licenses on the occasion of fairs, festivals, etc. He says that both in Travancore and the Madras Presidency attempts are being made to minimise the issue of such licenses. So far as the Madras Presidency is concerned, I have already explained to this House on a former occasion that our rule with regard to the granting of occasional licenses is substantially the same as that prevailing there, with only this modification. There

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occasional licenses are given to licensees who are renters of shops in the vicinity. But here we also give licenses when the number of shops in the vicinity is insufficient to supply the demand for liquor.

Mr. K. T. Mathew.—That makes a wolld of difference.

Mr. V. B. Vaidyanatha Ayyar.—That is your opinion. Let me express my opinion. I did not interrupt you, while you were speaking. This is necessitated by the Cranganur *Bharani* festival. In no other case is that provision applied. I think it is mainly applied on the occasions of the Cranganur *Bharani*. There are only about two or three shops there. About 50 or 60 thousand people come there. These two or three shops are not at all sufficient to supply the demand of a such a large concourse of people. With regard to Travancore, no doubt, the Excise Committee have made a recommendation limting the grant of occasional licenses. But the recommendation of the Committee was about two years ago. No action has been taken on that. No orders have been passed on the recommendation of the Committee. But the practice in Travancore is the same now as it was before the recommendation of the Excise Committee.

Then, with regard to the point that the quantity of consumption here is more than double or nearly treble the quantity consumed in Travancore, the explanation is obvious. Here we are surrounded on almost all sides by British India and Travancore and our consumers are not Cochinites alone. We have got a floating population in Cochin and all over the borders, and people come either from Travancore or British territory to our shops.

Mr. C. A. Ouseph.—Won't our people go there?

Mr. V. B. Vaidyanatha Ayyar.—On the occasion of the Cranganur *Bharani*, there are more Britishers and Travancoreans than Cochinites. The floating population here is not composed of Cochinites.

Then, with regard to the remarks of the Member for the South, Ezhuva Constituency respecting the grievances of the jaggery tappers, I am issuing licenses very freely to all *bona fide* jaggery tappers. In the case of old tappers, no reference to me is necessary. No orders of mine are necessary for renewing their licenses. It is only in the case of new applications that an enquiry has to be conducted as to whether they are *bona fide* tappers or not.

I remember the Member for the Ezhuva Constituency having written to me once or twice. He was also kind enough to come to me and represent the grievances of some of the tappers. I enquired into the matter. What the Inspector wrote

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to me was that he went to the spot once or twice, but he was not able to get at them. He is the person who inquires into their conduct. It is a fact that I told the Inspector that he should hurry up, and I understand that the reports have all come. I have passed orders on them. I wanted to send a reply, but I understood from my office that the Member for the Ezhuva Constituency himself went there, and ascertained all the particulars. That is the information given to me by my office.

Mr. M. K. Raman.—I never went.

Mr. V. B. Vaidyanatha Ayyar.—But that is the information I got, and I think all the petitions have been disposed of, and none is pending now.

Of course, it is open to the Member to say that the delay is due to want of control and all that. There are about half-a-dozen tappers in Mulanturutti, and the Inspector resides here in Ernakulam. When he goes there, he cannot get at them. He only pointed out this difficulty at the end of the first half-year, the time for marking the trees. The second half-year is a very active time for him. So he represented that he wanted some more time.

Now, with regard to the increase in consumption in 1101, pointed out by the Member for Chalakkudi, there was a question on this matter, and I have already answered it in the last session. The after-effects of the heavy floods at the end of 1099 were visible only in 1100. They continued almost throughout the year. When we look to the consumption in 1099, the consumption in 1101 was less. That is why we find in *the Administration Report* that it is only a return to normal conditions. And further, in 1101, there was the cocoanut pest, and therefore, the yield of toddy was much less than what was expected. The result was that persons who used to go to toddy shops freely began to frequent the arrack shops. In that way also there was an increase in the consumption of arrack. Further, there were increased activities of my subordinates in the matter of suppression of malpractices and illicit distillation. The natural result was the disappearance of illicit liquor and the substitution of licit liquor. All these contributed to the increase in consumption. That is all I have got to say.

President.—The question is whether the Demand asked for under "Customs" can be granted.

Mr. K. T. Mathew.—There is a cut motion for one rupee.

Rao Sahib Mr. T. V. Kasturi Ranga Ayyar.—That is to be put first.

The cut motion was put to votes and lost.

The original Demand was put to the House and voted for.

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